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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,364	12/12/2003	Yasunori Niwano	245797US2DIV	8695
22850	7590	05/10/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			NGO, HUYEN LE	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/733,364

Applicant(s)

NIWANO ET AL.

Examiner

Julie-Huyen L. Ngo

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☒ Claim(s) 5-8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/110,076.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/12/2003</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/110,076, filed on July 2, 1998.

Specification

The disclosure is objected to because of the following informalities:

The term "In Plain Switching" in lines 3-4 of page 1 should be __ In Plane Switching__.

Reference characters "7," in lines 1-2 of page 2, and "13" in lines 3-4 of page 3, have both been used to designate "the storage capacitance electrode".

Appropriate correction is required.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

In the last clause of claim 5, the recitation calling for "*said TFT array substrate includes a common line and a scanning line on a same layer, and a signal line provided on said gate insulating film.*" appears to recite another common line and scanning line, and signal line; however, there is no support in the specification and drawings for this limitation.

There is no support in the specification and drawings for another "passivation film" provided in the TFT substrate since there was one passivation film already recited in claim 5.

In claim 8, there is no support in the specification and drawings for another "a TFT for switching said image signal in accordance with said scanning signal, a driving electrode for accumulating while switch of said TFT is off electric load stored when said switch of said TFT is on, and a storage capacity increasing electrode for reinforcing the accumulating force of said driving electrode are respectively superposed in different layer."

Claim Objections

Claims 5-8 are objected to because of the following informalities:

In claim 5, the abbreviated terms "IPS" and "TFT" need to be defined before any abbreviation is introduced.

Claim 8 is objected to for reciting a functional in scope, which seem to be conventional functions of a TFT's elements.

All claims that are depended from the above-mentioned claims and are not specifically discussed above are objected as bearing the defects of the claims from which they depend.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 5-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 5, the recitation calling for “***wherein said TFT array substrate is formed on said passivation film, said passivation film being different from a layer provided with said driving electrode and said opposite electrode,***” in lines 23-25, is inconsistent with what being disclosed in the specification and drawings, which disclose that the driving electrodes (5) and the opposite electrode (6) are formed on the passivation film (10) in all different embodiments. Nevertheless, the passivation film is part of the TFT array substrate as recited in line 9 of the claim, than how can the TFT array substrate be formed on said passivation film? Also, “a layer provided with said driving electrode and said opposite electrode” lacks antecedence.

Therefore, in light of the specification and drawing, the Examiner interprets that the TFT array substrate includes the passivation film, said driving electrodes and said opposite electrodes, which are formed on the passivation film.

It is unclear of how “a plurality of electrodes configured to be opposed to each of the driving electrodes,” as recited in lines 19-20.

It is unclear of how a plurality of common lines is connecting “each of said opposite electrodes of one of said plurality of pixels with another one of said plurality of pixel” as recited in lines 21-22. It would be clear to recite that __ a plurality of common

lines is connecting each of said opposite electrodes in each of said plurality of pixels with another one of said opposite electrodes in another one of said plurality of pixels.

Claim 7 is unclear of where the light shielding means is supposed to be formed in reference with other elements recited in the claim. Figures 32a-b shows the signal is superposed (right above) with the opposite electrode but no light shield mean provides in Figures 32a-b. Figures 34a-b shows a light shielding mean to be formed on upper substrate over signal lines, but the opposite electrode is superposed (right above) over the signal. Figures 34a-b shows ONLY the opposite electrode slightly overlaps the signal line. Also, it is unclear how the signal line is supposed with said opposite electrode" and what electrode is Applicant referring to since there is a plurality of opposite electrodes recited earlier in claim 5.

In claim 8, it is unclear what Applicant is reciting by the recitation "*a driving electrode for accumulating (what?) while switch of said TFT is off electric load stored when said switch of said TFT is on, and a storage capacity increasing (what increasing?) electrode for reinforcing the accumulating force (what force?) of said driving electrode are respectively superposed in different layer*". Also, it is unclear of what and how different elements are respectively superposed in different layer.

All claims that are depended from the above-rejected claims and are not specifically discussed above are rejected as bearing the defect(s) of the claim(s) from which they depend.

Appropriate correction is required.

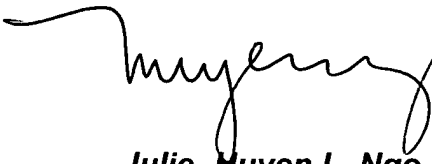
Contact Information

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Julie-Huyen L. Ngo whose telephone number is (571) 272-2295. The Examiner can normally be reached on T-Friday.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Mr. Robert H. Kim can be reached at (571) 272-2293.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1562.

May 5, 2004



Julie -Huyen L. Ngo
Patent Examiner
Art Unit 2871